

House File 2502

H-8504

1 Amend House File 2502 as follows:

2 1. Page 13, after line 22 by inserting:

3 <DIVISION ____

4 REVOCATION OF DRIVER'S LICENSE FOR DRUG-RELATED CONVICTIONS

5 Sec. _____. Section 124.412, Code 2018, is amended to read as
6 follows:

7 **124.412 Notice of conviction.**

8 If a person enters a plea of guilty to, or forfeits bail
9 or collateral deposited to secure the person's appearance in
10 court, and such forfeiture is not vacated, or if a person
11 is found guilty upon an indictment or information alleging a
12 violation of [this chapter](#), a copy of the minutes attached to
13 the indictment returned by the grand jury, or to the county
14 attorney's information, a copy of the judgment and sentence,
15 and a copy of the opinion of the judge if one is filed, shall
16 be sent by the clerk of the district court or the judge to
17 ~~the state department of transportation and to~~ any state board
18 or officer by whom the convicted person has been licensed or
19 registered to practice the person's profession or carry on
20 the person's business. On the conviction of a person, the
21 court may suspend or revoke the license or registration of the
22 convicted defendant to practice the defendant's profession
23 or carry on the defendant's business. On the application of
24 a person whose license or registration has been suspended or
25 revoked, and upon proper showing and for good cause, the board
26 or officer may reinstate the license or registration.

27 Sec. _____. Section 321.212, subsection 1, paragraph d, Code
28 2018, is amended by striking the paragraph.

29 Sec. _____. Section 321.215, subsection 1, paragraph b, Code
30 2018, is amended to read as follows:

31 *b.* However, a temporary restricted license shall not be
32 issued to a person whose license is revoked pursuant to a court
33 order issued under ~~section 901.5, subsection 10,~~ or under
34 section 321.209, subsections 1 through 5 or subsection 7; to a
35 juvenile whose license has been suspended or revoked pursuant

1 to a dispositional order under section 232.52, subsection
2 2, paragraph "a", for a violation of chapter 124 or 453B or
3 section 126.3; to a juvenile whose license has been suspended
4 under section 321.213B; or to a person whose license has been
5 suspended pursuant to a court order under section 714.7D. A
6 temporary restricted license may be issued to a person whose
7 license is revoked under section 321.209, subsection 6, only
8 if the person has no previous drag racing convictions. A
9 person holding a temporary restricted license issued by the
10 department under this section shall not operate a motor vehicle
11 for pleasure.

12 Sec. _____. Section 321.215, subsection 2, unnumbered
13 paragraph 1, Code 2018, is amended to read as follows:

14 Upon conviction and the suspension or revocation of a
15 person's noncommercial driver's license under section 321.209,
16 subsection 5 or 6, or section 321.210, 321.210A, or 321.513;
17 ~~or upon revocation pursuant to a court order issued under~~
18 ~~section 901.5, subsection 10;~~ or upon the denial of issuance
19 of a noncommercial driver's license under section 321.560,
20 based solely on offenses enumerated in section 321.555,
21 subsection 1, paragraph "c", or section 321.555, subsection
22 2; or upon suspension or revocation of a juvenile's driver's
23 license pursuant to a dispositional order under section 232.52,
24 subsection 2, paragraph "a", for a violation of chapter 124
25 or 453B, or section 126.3; or upon suspension of a driver's
26 license pursuant to a court order under section 714.7D, the
27 person may apply to the department for a temporary restricted
28 license to operate a motor vehicle for the limited purpose or
29 purposes specified in subsection 1. The application may be
30 granted only if all of the following criteria are satisfied:

31 Sec. _____. Section 321.215, subsection 2, paragraph c, Code
32 2018, is amended to read as follows:

33 c. Proof of financial responsibility is established as
34 defined in chapter 321A. However, such proof is not required
35 if the driver's license was suspended under section 321.210A

1 or [321.513](#) or ~~revoked pursuant to a court order issued under~~
2 ~~section 901.5, subsection 10.~~

3 Sec. _____. Section 321.218, subsection 1, Code 2018, is
4 amended to read as follows:

5 1. A person whose driver's license or operating privilege
6 has been denied, canceled, suspended, or revoked as provided
7 in [this chapter](#) or as provided in [section 252J.8](#) ~~or section~~
8 ~~901.5, subsection 10~~, and who operates a motor vehicle upon
9 the highways of this state while the license or privilege
10 is denied, canceled, suspended, or revoked, commits a
11 simple misdemeanor. In addition to any other penalties, the
12 punishment imposed for a violation of [this subsection](#) shall
13 include assessment of a fine of not less than two hundred fifty
14 dollars nor more than one thousand five hundred dollars.

15 Sec. _____. Section 321A.17, subsection 4, Code 2018, is
16 amended to read as follows:

17 4. An individual applying for a driver's license following a
18 period of suspension or revocation pursuant to a dispositional
19 order issued under [section 232.52, subsection 2](#), paragraph
20 "a", or under [section 321.180B](#), section 321.210, subsection
21 1, paragraph "a", subparagraph (4), or [section 321.210A](#),
22 321.213A, [321.213B](#), [321.216B](#), or [321.513](#), following a period
23 of suspension or revocation under [section 321.178](#) or [321.194](#),
24 or following a period of revocation pursuant to a court order
25 issued under ~~section 901.5, subsection 10~~, or under section
26 321J.2A, is not required to maintain proof of financial
27 responsibility under [this section](#).

28 Sec. _____. Section 901.5, subsection 10, Code 2018, is
29 amended by striking the subsection.

30 Sec. _____. REINSTATEMENT OF DRIVER'S LICENSE. A defendant's
31 driver's license suspended or revoked pursuant to section
32 901.5, subsection 10, prior to the effective date of this
33 division of this Act, shall be reinstated, if the defendant is
34 otherwise eligible for a driver's license.

35 Sec. _____. CONTINGENT EFFECTIVE DATE. This division of this

1 Act takes effect on the date the governor submits to the United
2 States secretary of transportation a written certification
3 that the governor is opposed to the enforcement in this state
4 of a law described in 23 U.S.C. §159(a)(3)(A) and a written
5 certification that the general assembly has adopted a joint
6 resolution expressing its opposition to the same, in accordance
7 with 23 U.S.C. §159(a)(3)(B). The office of the governor shall
8 notify the Code editor upon submission of the certifications
9 described in this section.>
10 2. Title page, line 4, after <date,> by inserting
11 <contingent effective date,>

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